

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

P.V., a minor, by and through his Parents,	:	CIVIL ACTION
Pedro Valentin and Yolanda Cruz,	:	
individually, and on behalf of all others	:	
similarly situated, et al.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
The School District of Philadelphia, et al.	:	NO. 2:11-cv-04027
	:	
Defendants.	:	

ORDER

AND NOW, this 19th day of February 2013, upon consideration of Defendants' Motion for Summary Judgment (Doc. No. 49), Plaintiffs' Motion for Summary Judgment (Doc. No. 51), Defendants' Response to Plaintiffs' Motion for Summary Judgment (Doc. No. 54), Plaintiffs' Response to Defendants' Motion for Summary Judgment (Doc. No. 62), Defendants' Reply Brief in Further Support of their Motion for Summary Judgment (Doc. No. 63), Plaintiffs' Reply Brief in Further Support of their Motion for Summary Judgment (Doc. No. 64), Defendants' Surreply in Opposition to Plaintiffs' Motion for Summary Judgment (Doc. No. 67), Plaintiffs' Supplemental Memorandum (Doc. No. 69), and all exhibits attached thereto, it is hereby ORDERED as follows:

1. Defendants' Motion for Summary Judgment (Doc. No. 49) is GRANTED in part and DENIED in part.
2. Plaintiffs' Motion for Summary Judgment (Doc. No. 51) is GRANTED in part and DENIED in part.
3. Accordingly, the Philadelphia School District is ORDERED to alter its upper-leveling process for students with autism such that it provides class members with prior written notice and a level of parental participation consistent with the procedural requirements of the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. § 1400 et seq. (1996).
4. No claims remain in this matter. Accordingly, the Clerk of Court is directed to close this matter for statistical purposes.

BY THE COURT:

/s/ Legrome D. Davis
Legrome D. Davis, J.